IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Application No. 1387 of 2005

The State of Maharashtra. .Applicant

vs

Bapu Shankar Chavan & Ors .Respondents

Ms P H Kantharia, Addl Public Prosecutor for State

CORAM:V.G.PALSHIKAR, Acg, C.J.&
Smt. NISHITA MHATRE J.

DATE:AUGUST 30, 2006.

P.C.:-

By this application the State seeks leave to appeal against the order of acquittal passed by the learned Sessions Judge, Bombay on 1.11.2002. Present respondents were prosecuted for offence of forgery and cheating by conspiracy. The incident alleged to have been taken place between the period from 1981 and 1983. The trial ended after 19 years. The learned trial Judge came to the conclusion that there is no evidence to prove the charge of conspiracy. Consequently the involvement of the builder or contractor with the surveyor is not proved. Adequate reasons are given for coming to this

conclusion. The entire evidence as was led by the prosecution is considered by the learned Judge. The application of law to the facts as emerged from the evidence on record is correct. In such circumstances we see no reason to interfere with the impugned order. Leave rejected.